

1. CERTIFICATION OF COMPLIANCE

Chairman Neiman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Ally Morris read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

- 1. SP 2058** (Variance Requested)
Applicant: Simon Soloff
Location: 926 & 930 East County Line Road
Block 208 Lot 7 & 162
Preliminary and Final Major Site Plan for new office building

A motion was made by Mr. Schmuckler, seconded by Mr. _____ to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal

- 2. SP 2061** (Variance Requested)
Applicant: Congregation of Chestnut, Inc
Location: Chestnut Street
Block 1051.07 Lot 51
Preliminary and Final Major Site Plan for addition to existing synagogue

A motion was made by Mr. Schmuckler, seconded by Mr. _____ to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal

- 3. SD 1942** (Variance Requested)
Applicant: Aaron Finkelstein

Location: 121 East 7th Street
Block 231 Lot 33
Minor Subdivision to create two fee-simple duplex lots

A motion was made by Mr. Schmuckler, seconded by Mr. _____ to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert,
Mr. Percal

5. PLAN REVIEW ITEMS

- 1. SD 1947** (Variance Requested)
Applicant: Warren Avenue LLC
Location: 419 Warren Avenue
Block 768 Lot 74
Preliminary & Final Major Subdivision to create 6 fee simple duplex units

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing lot to create six (6) proposed lots for three (3) duplex structures that would be developed as zero lot line properties. The existing lot known as Lot 74 in Block 768 is proposed to be subdivided into proposed Lots 74.01 – 74.06 on the Major Subdivision Plan. The 150' X 200', thirty thousand square foot (30,000 SF) property contains an existing church and a small cemetery. The plans state that all existing structures are to be removed. The land is very flat and generally slopes from north to south. The site is situated in the central portion of the Township on the northwest corner of Warren Avenue and Fern Street, both of which are paved municipal roads. The existing right-of-way width of Fern Street is fifty feet (50') and the pavement is in good condition. The existing right-of-way width of Warren Avenue is sixty feet (60') and the pavement is in fair condition. Fern Street has existing curb in good condition, but no sidewalk in front of the site. Warren Avenue is without curb and sidewalk in front of the site. The proposed duplex unit on new Lots 74.01 and 74.02 would front Fern Street. The proposed duplex units on the combinations of new Lots 74.03/74.04 and 74.05/74.06 would front Warren Avenue. Both roadways abutting the site would provide fifteen foot (15') half pavement widths. Curb and sidewalk are proposed as part of the site improvements. The plans indicate the new lots are to be serviced by public water and sewer. There are existing water and sewer lines located in Warren Avenue and Fern Street. Gas is available to the site since an existing gas main runs under the east side of Warren Avenue. Overhead electric is available from the west side of Warren Avenue. The development proposes four (4) off-street parking spaces for each unit. The architectural plans specify five (5) bedrooms units with finished basements. The subject site is located within the R-7.5 Single-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district with ten thousand square foot (10,000 SF) minimum lot areas for duplex structures. The site is situated within a predominantly residential area. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. We have reviewed the requested waivers from the Land Development Checklist and offer the following comments for the Board's consideration: We can support the granting of the requested B-Site Features waivers, since

enough topographic information has been provided to support the necessary designs. The Environmental Impact Statement waiver request is reasonable given the developed nature of the site.

II. Zoning 1. The site is situated within the R-7.5 Single-Family Residential Zone District. As stated previously, Two-Family Housing, with a minimum lot area of ten thousand square feet (10,000 SF) for two-family structures is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. A variance is requested for Minimum Front Yard Setback on proposed Lot 74.06. An eighteen foot (18') front yard setback is proposed, where a twenty-five foot (25') front yard setback is required. The proposed duplex unit on the combination of new Lots 74.05/74.06, faces Warren Avenue with a forty foot (40') front yard setback. The proposed configuration creates a corner property for new Lot 74.06. Therefore, proposed Lot 74.06 also has frontage on Fern Street, from which the setback variance is requested. The proposed design minimizes the side yard setback of new Lot 74.05 and leaves the eighteen foot (18') front yard setback (new Lot 74.06) on the opposite side of the duplex unit. 3. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.

III. Review Comments A. General 1. The survey map must be updated to indicate Boundary and Topographic Survey as referenced in the General Notes. Datum and bench mark information shall also be included on a revised survey map. Some of the existing improvements have been removed since the date of the survey. However, a utility pole near the corner of Lots 41 and 74 should be properly located for design purposes. 2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS standards for the five (5) bedroom units with finished basements shown on the architectural plans. Up to six (6) bedrooms per unit with a basement will be permitted for this project to also comply with parking ordinance 2010-62. 3. The General Notes indicate that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. 4. The applicant's professionals indicate the proposed lot numbers have been assigned by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 5. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township.

B. Plan Review 1. The General Notes indicate horizontal and vertical datum has been assumed. The bench mark referenced should be shown on the plans. 2. The Zoning Data must be edited. 3. The proposed areas for Lots 74.03 and 74.04 shall both be corrected to five thousand square feet (5,000 SF). The proposed area for Lot 74.05 shall be corrected to 4,266.67 square feet. The proposed area for Lot 74.06 shall be corrected to 5,733.33 square feet. In this manner the combination of all proposed zero lot line properties will total ten thousand square feet (10,000 SF), which is conforming. Furthermore, the total of all proposed lot areas will equal thirty thousand square feet (30,000 SF), the initial project area. 4. The proposed rear lot line dimensions of new Lots 74.01 and 74.02 shall be 33.33 feet (33.333' rounded). The proposed front lot line dimension of new Lot 74.03 shall be corrected to 37.50 feet. 5. The following proposed setbacks shall be corrected: a. The side setbacks for proposed Lots 74.01 and 74.02 shall be 8.33 feet. b. The side setback for proposed Lot 74.03 shall be 7.5 feet. c. The rear setback for proposed Lots 74.03 and 74.04 shall be 43.33 feet. d. The rear setback for proposed Lots 74.05 and 74.06 shall be 33.33 feet. 6. A 25' X 25' proposed Sight Triangle Easement at the intersection of Warren Avenue with Fern Street

to the Township of Lakewood has been provided. 7. A proposed six foot (6') wide shade tree and utility easement is shown across the project frontages. The proposed easement dimension across the frontage of new Lot 74.03 shall be corrected to 37.50 feet. The easement areas below the Zoning Data shall be corrected. 8. The proposed off-street parking spaces will conflict with the front steps for the units, revisions are required. 9. Curb and sidewalk is proposed along the road frontages. A dimension of four feet (4') should be provided for the new sidewalk since proposed pedestrian passing lanes which must be dimensioned have been provided for the sidewalk along the frontages. The proposed sidewalk location along the streets shall be dimensioned with distances from face of curb and right-of-way. 10. A proposed curb ramp is required at the intersection of Fern Street and Warren Avenue. 11. Utility pole relocations may be required. 12. The proposed curb radius must be shown at the intersection of Fern Street and Warren Avenue. 13. The head piece for the existing inlet on Fern Street must be replaced with a head piece having a back plate. C. Grading 1. Proposed curb and gutter grades have been designed along Warren Avenue and Fern Street. Our review of the proposed grading indicates there is inadequate slope. Steeper slopes are required along with proposed drainage. Proposed site grading cannot be evaluated without these revised designs along the adjoining roads. 2. Road profiles would be beneficial with any proposed drainage design. 3. Basements are proposed for all units. Seasonal high water table information must be provided to substantiate a minimum two foot (2') separation to the proposed basement floors. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. Storm water management calculations must be provided to determine whether the project qualifies as major development. 2. Runoff calculations from another project have been incorrectly provided on the Grading & Utility Plan. Should recharge be designed for storm water management, soils information must be provided within the proposed project to confirm the seasonal high water table. In addition, permeability testing would be required for use in the recharge calculations. 3. A Storm Water Management Report and Design can be reviewed in detail with a revised submission of the project. E. Landscaping 1. Ten (10) Willow Oak shade trees have been proposed within the shade tree and utility easement. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. 3. Per our site inspection of the property, there are some isolated trees on the property and the western edge is wooded. 4. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Proposed street lighting has not been provided since no new roads are proposed. The project fronts existing streets which only require construction of curb and sidewalk. G. Utilities 1. Public potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. Proposed sanitary sewer connections would be made to existing sanitary sewer mains in Fern Street and Warren Avenue to service the proposed duplex units. 3. Proposed potable water connections must be corrected. There are existing potable water mains on the south side of Fern Street and the west side of Warren Avenue to service the proposed duplex units. H. Signage 1. No regulatory signage is shown or proposed. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the plans, aerial photography, and a site inspection of the property, the tract has an abandoned church located on the property. The site contains some isolated trees and a wooded area on the west side of the property. The existing on-site topography is very flat. Utility poles for overhead electric exist on the Warren Avenue frontage. 2. Environmental Impact Statement A waiver was requested from submitting an Environmental Impact Statement (EIS) for the project. 3. Tree Management

A Tree Protection Management Plan in accordance with the current ordinance has been submitted. The Tree Management Plan shall be reviewed in detail after compliance submission should subdivision approval be granted. J. Construction Details 1. Construction details shall be provided for all proposed improvements. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. K. Final Plat (Major Subdivision) 1. The Final Plat shall be corrected in accordance with the previous applicable plan review comments. 2. The Surveyor's Certification has not been signed since the monuments have not been set. 3. Coordinates shall be provided on at least three (3) outbound corners. 4. Proposed monuments shall be added to the outbound corners along Warren Avenue. 5. The "date" line on the Secretary's Certification should be moved. 6. Compliance with the Map Filing Law is required. 7. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that submission waivers are requested for topography, contours, man-made features and EIS. The waivers are supported.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to approve the waivers.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert,
Abstained: Mr. Percal

Mr. Vogt stated that a variance is being request for minimum front yard setback.

Mr. Adam Pfeffer, Esq., on behalf of the applicant, stated they have reviewed the engineer's review letter and they will comply with all of the comments.

A motion was by Mr. Herzl, seconded by Mr. Schmuckler to advance the application to the July 22, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert,
Mr. Percal

6. PUBLIC HEARING ITEMS

1. **SD 1933** (Variance Requested)
Applicant: Fourth Street Properties, LLC
Location: 886 River Ave
Block 430 Lot 10
Major Subdivision to create five lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an undersized commercial lot to create a smaller commercial lot and to provide two (2) duplex buildings on four (4) proposed zero lot line properties. The existing commercial lot known as Lot 10 in Block 430 is proposed to be subdivided into

proposed Lots 10.01 through 10.05 on the Major Subdivision Plan. Proposed Lot 10.01 would be the smaller commercial lot. Proposed Lots 10.02 through 10.05 would be for the duplex buildings on the zero lot line properties. The subject property is located on the northwesterly corner of Cushman Street and Route 9 in the southwest portion of the Township. Route 9 is an improved State Highway with a sixty-six foot (66') wide right-of-way in front of the site. Curb and sidewalk exist and the Highway will not be altered as a result of this project. Cushman Street is an improved municipal road in good condition with a sixty foot (60') right-of-way width and a thirty foot (30') pavement width. The half right-of-way width in front of the site is thirty-five feet (35'). As a result, a partial vacation will be proposed for some of the right-of-way for use in creating zero lot line properties. There is a missing stretch of existing sidewalk which would be constructed in front of the proposed duplexes. Otherwise, the existing sidewalk and curb along Cushman Street is in good condition. The proposed subdivision is contingent upon a proposed 10' X 140' right-of-way vacation on the north side of Cushman Street. This proposed area would provide enough square footage for the zero lot line properties to meet the Minimum Lot Area requirements. The proposed vacation would have to be approved by the Township Committee. The site is currently occupied by a commercial structure with parking on both the east and west sides of the building. However, almost half of the site, the western side, is undeveloped light woods. There are some large trees within these light woods and they have been located on the survey. The existing developed portion of the site would remain and the woods cleared to make way for the proposed subdivision. The existing 0.94 acre area of the site generally slopes toward the southeast. The elevations drop around ten feet (10') from about one hundred nine (109) to approximately ninety-nine (99). Existing sanitary sewer and potable water are available for the subdivision in Cushman Street. Four (4) off-street parking spaces are proposed for each residential lot. Twenty-nine (29) off-street parking spaces exist for the commercial use. The subject site is located within the HD-7 Highway Development Zone District. The site is situated adjacent other commercial and residential development. We have the following comments and recommendations per testimony provided at the 5/6/14 Planning Board Meeting and comments from our initial review letter dated April 29, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 -- Topography within 200 feet thereof. 2. B4 -- Contours of the area within 200 feet of the site boundaries. 3. B10 -- Man-made features within 200 feet thereof 4. C13 -- Environmental Impact Statement. The applicant's engineer indicates that the surrounding properties are all developed and the drainage patterns have been established. We concur with the applicant's engineer's opinion and can support the submission waiver requests for off-site information within two hundred feet (200'). The applicant's engineer is requesting a waiver from the requirement of providing an Environmental Impact Statement since the surround lots are fully developed and there is no environmentally sensitive area on the subject property. We concur with the applicant's engineer's opinion and can support the submission waiver request from an Environmental Impact Statement. The Board granted the submission waivers. II. Zoning 1. The site is situated within the HD-7, Highway Development Zone District. Per Section 18-903H.2., of the UDO, "duplexes" are a Condition Use subject to Section 18-1014. Testimony shall be provided on the use of the existing commercial building to remain in order to determine whether it is a permitted use. The revised plans indicate that currently half of the building is occupied by a medical user and the other half is vacant. The existing project sign lists physicians and surgeons which are permitted professional occupations in the zone. 2. Buffering must be addressed between proposed Lot 10.01 and 10.02. Section 18-803E.2.a., of the UDO requires a minimum twenty-five foot (25') wide buffer area. The revised plans propose a 9.7 foot wide buffer with a six foot (6') high solid vinyl fence and a row of arborvitae. The Board shall take action on waiving the required buffer width. 3. A Minimum Lot Area variance is required for

proposed Lot 10.01. A lot area of 25,312 square feet is proposed, whereas one acre (43,560 SF) is required. The Board shall take action on the required minimum lot area variance. 4. A Minimum Lot Frontage variance is required for proposed Lot 10.01. A lot frontage of one hundred twelve feet (112') is proposed along River Avenue (Route 9), whereas one hundred fifty feet (150') is required. This same condition exists with the current property, Lot 10. The Board shall take action on the required minimum lot frontage variance. 5. Minimum Front Yard Setback variances are required for proposed Lot 10.01. A front yard setback of 55.1 feet is proposed from River Avenue (Route 9), whereas a front yard setback of seventy-five feet (75') from a State Highway is required. A front yard setback of 36.4 feet is proposed from Cushman Street, whereas a front yard setback of fifty feet (50') is required. These same conditions exist with the current property, Lot 10. The Board shall take action on the required minimum front yard setback variances. 6. A Minimum Rear Yard Setback variance is required for proposed Lot 10.01. A rear yard setback of 29.3 feet is proposed, whereas fifty feet (50') is required. This same condition exists with the current property, Lot 10. The Board shall take action on the required minimum rear yard setback variance. 7. The existing site identification sign for proposed Lot 10.01 does not have the required fifteen foot (15') minimum setback. Zoning information is required for the sign to determine whether any other relief by the Board must be approved. The sign may also be regulated by the NJDOT Desired Typical Section. The revised plans show the existing site identification sign for proposed Lot 10.01 to be setback 3.1 feet from Route 9 and 12.3 feet from Cushman Street, whereas fifteen foot (15') setbacks are required. The revised plans also show the existing sign dimensions which appear to comply with the Zoning. The Board shall take action on the required minimum setback variance for the existing sign. 8. Off-street parking must be addressed for proposed Lot 10.01. The revised plans indicate that should medical use be proposed for the entire existing building twenty-seven (27) off-street parking spaces would be required. While the plans show twenty-nine (29) existing off-street parking spaces, the following should be noted: a. The last two (2) spaces in the westerly parking lot have conflicts with the refuse enclosure. b. The two (2) ADA spaces are not to code. c. The nine (9) spaces in the easterly parking lot are within the NJDOT Desired Typical Section. Furthermore, these same nine (9) spaces are not permitted within sixty-five feet (65') of the Route 9 centerline in accordance with Section 18-903H.6., of the UDO. Off-street parking for proposed (reduced) Lot 10.01 remains to be addressed. 9. According to our review of the Major Subdivision Plan and the zone requirements, the following variances are required for the zero lot line residential portion of the subdivision approval requested: • Minimum Rear Yard Setback – The proposed decks would be located less than fifteen feet (15') from the rear lot line, whereas fifteen feet (15') is required. The plans have been revised. No variances are required for minimum rear yard setback. 10. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. The proposed Subdivision is subject to a right-of-way vacation which must be approved by the Township Committee. 2. A separate Topographic Survey has been submitted. The inclusion of an Outbound Survey shall be submitted. A revised Outbound and Topographic Survey has been submitted. Only an unidentified dashed line along the Route 9 frontage must be addressed. 3. Off-street parking for the residential portion of the subdivision: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per dwelling which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Up to six (6) bedrooms per unit with an unfinished basement are permitted for this project to be in compliance with parking ordinance 2010-62. The construction plans imply that basements will

be proposed. Statements of fact. 4. The applicant shall confirm that trash and recyclable collection for the residential portion of the subdivision is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. Trash and recycling bins have been provided on the sides of the units. Details of the enclosures should be provided along with sidewalk connecting the storage areas to the street. 5. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The signature box provided on the Final Plat shall be signed by the Lakewood Tax Assessor for resolution compliance submission should approval be granted. 6. The existing curbing and paving on Cushman Street is in excellent condition. As a result of the proposed water and sewer service connections, and new driveway construction, more than twenty percent (20%) of the road in front of the residential subdivision will be disturbed. Road restoration with a full overlay and one (1) side curb replacement will be required for the entire length of the residential subdivision. The construction details must be designed to show the required improvements. The Improvement Plan shows the limits of full width pavement overlay and curb replacement. Construction details can be finalized for review with resolution compliance submission should approval be granted. 7. In accordance with 18-911F., a written agreement signed by the owner of the property, "Owners Agreement", shall be filed with application for approval, and shall include provisions as determined to be appropriate by the Planning Board, for resolving the following items associated with the use, maintenance, and repair of common areas and facilities. The agreement can be provided with resolution compliance submission should approval be granted. 8. The General Notes indicate that final architectural dimensions of the proposed dwellings are not determined at this time. The allowable building coverage will not be exceeded. Statements of fact. B. Plan Review 1. The General Notes must be edited, particularly the nonresidential requirements of the HD-7 Zone. We recommend the applicant's engineer contact our office to review the General Notes prior to resolution compliance submission should approval be granted. 2. The proposed setback lines should be based on the future outbound and provided for all lots. The revised setback lines for the residential lots are correct. Proposed setback lines can be provided for the commercial lot with resolution compliance submission if approval is granted. 3. The proposed lot depth dimensions shall be provided for the residential lots. All proposed depth dimensions can be provided for the residential lots with resolution compliance submission if approval is granted. 4. The title on the Cover Sheet shall be corrected. The title on the Cover Sheet can be corrected for resolution compliance submission should approval be granted. 5. Sidewalk is proposed for the residential subdivision. Proposed sidewalk shall be five feet (5') wide, unless pedestrian bypass areas are designed. Proposed sidewalk scales four feet (4') wide and is shown to be four feet (4') wide on the construction details. A pedestrian bypass area has been designed in front of the proposed residential lots. A pedestrian bypass area can be designed along the frontage of Lot 10.01 (exceeds 200') for resolution compliance submission should approval be granted. 6. Sight Triangle Easements to the Township should be proposed at the two (2) vehicular intersection points along Cushman Street. One (1) Line of Sight has been shown at the westerly intersection point along Cushman Street. Sight Triangle Easements can be addressed with resolution compliance submission should approval be granted. 7. The plans do not show any existing NJDOT Sight Triangle Easements. The revised plans show a Line of Sight. An inquiry on the project has been made by NJDOT based on the Notice Requirements. The inquiry directs the applicant to contact the Department to ascertain whether any permits are required. 8. Six foot (6') wide Shade Tree and Utility Easements are proposed along the residential portion of the road frontage. Six foot (6') wide Shade Tree and Utility Easements shall be proposed along the commercial portion of the road frontages. All proposed easements shall be completed with bearings, distances, and areas provided on an individual lot basis. A

Shade Tree and Utility Easement can be shown on the Improvement Plan along the commercial portion of the road frontage for resolution compliance should approval be granted. 9. The Improvement Plans should have typical dimensions completed. Typical dimensions can be completed for resolution compliance submission should approval be granted. 10. The minimum floor area for the commercial use shall be added to the Zone Schedule for the commercial portion of the subdivision to insure Section 18-903H., of the ordinance is complied with. The Zone Schedule can be revised for resolution compliance submission should approval be granted. 11. Twenty-nine (29) off-street parking spaces have been shown on the commercial portion of the subdivision. Of these, two (2) of the spaces are ADA accessible. However, the ADA spaces are not to code. Revisions are required. ADA compliance must be addressed with resolution compliance submission should approval be granted. 12. A loading zone has not been shown for the commercial portion of the subdivision. A size should be specified, along with testimony on operation. Testimony on loading and site operations are required. 13. An existing refuse enclosure is depicted in the northwest corner of the proposed commercial lot of the subdivision which is in need of repair. Testimony is required from the applicant's professionals addressing who will collect the trash. If Township pickup is proposed, approval from the DPW Director is necessary. The waste receptacle area should be upgraded, screened on three (3) sides, and designed in accordance with Section 18-809E., of the UDO. Upgrading of the waste receptacle area will be required for resolution compliance submission should approval be granted. 14. The Soil Erosion and Sediment Control Plan has not been corrected to reflect changes made to the Outbound and Topographic Survey of Property. The base map and design for the Soil Erosion and Sediment Control Plan must be updated for resolution compliance submission should approval be granted. C. Grading 1. More proposed spot elevations are required to review the grading scheme. The grading scheme will be reviewed after resolution compliance submission should approval be granted. 2. A detailed review of the grading can be completed during compliance submission; if/when this subdivision and subsequent site plan is approved. Statement of fact. D. Storm Water Management 1. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added. As a result, the project must meet water quality and water quantity reduction rate requirements. A Storm Water Management Report shall be submitted for review. The Storm Water Management Report shall be revised to tally new impervious area to insure the value does not exceed a quarter of an acre. The revisions can be provided with resolution compliance submission should approval be granted. 2. Soil borings and permeability testing must be provided within the proposed project to confirm the seasonal high water table depth and infiltration rates should underground recharge be designed. A soil boring log and permeability test has been provided in the Storm Water Management Report. The soil boring location shall be added to the plans for resolution compliance submission if approval is granted. 3. Drainage Area Maps must be provided for our review of the Storm Water Management Report and Design. Drainage Area Maps have been provided in the Storm Water Management Report. Square footage of the individual areas can be provided with resolution compliance submission should approval be granted. 4. The Storm Water Management Report and Design will be reviewed in detail after a revised submission of the project is made. Proposed drywells and yard drains may require revisions. The Storm Water Management Report and Design will be reviewed in detail after resolution compliance submission should approval be granted. 5. A Storm Water Management Operation & Maintenance Manual shall be submitted for the residential portion of the subdivision per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual will be reviewed in detail after the storm water management design is found to be acceptable. Statements of fact. E. Landscaping 1. Proposed landscaping is illustrated on the Improvement Plan. Five (5) Green

Vase Zelkova shade trees have been provided in front of the residential units on Sheet 2 of 5. Winter Green Boxwood shrubs are proposed for screening of the residential HVAC equipment. The revised plans add arborvitae screening along the west side of proposed Lot 10.01. Street trees have not been proposed within the shade tree easement for new Lot 10.01. Street trees can be provided with resolution compliance submission should approval be granted. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The site will be cleared as necessary for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. The applicant's engineer indicates that a Tree Protection Management Plan shall be completed as part of resolution compliance submission should approval be granted. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Lighting 1. There is existing street lighting on Cushman Street. There is existing site lighting on proposed Lot 10.01. No additional street lighting or site lighting is proposed. Statements of fact. G. Utilities 1. Utility information is provided on Sheet 2. As illustrated, the existing sanitary sewer main is in the center of Cushman Street. Proposed sewer laterals will be installed from the future individual units and connect to the system. Statements of fact. 2. Proposed potable water services will be installed from the future units to an existing main on the opposite side of Cushman Street. Statements of fact. 3. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. Testimony should be provided on other proposed utilities. H. Signage 1. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. I. Environmental 1. Tree Management A Tree Protection Management Plan will be required as a condition of approval. The plan shall be completed in accordance with current ordinance Chapter XIX, Protection of Trees. The applicant's engineer indicates that a Tree Protection Management Plan shall be completed as part of resolution compliance submission should approval be granted. J. Construction Details 1. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. K. Final Plat (Major Subdivision) 1. Many corrections are required to the Final Plat. The applicant's surveyor should review the Final Plat with our office prior to submitting for resolution compliance should approval be granted. 2. Compliance with the Map Filing Law is required. Statement of fact. 3. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. The Final Plat will be reviewed in detail after resolution compliance submission is made should approval be granted. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following a. Township Committee (right-of-way vacation); b. Developers Agreement at the discretion of the Township; c. Township Tree Ordinance; d. Ocean County Planning Board; e. Ocean County Soil Conservation District; and f. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that relief is sought for a reduction in the perimeter buffer width, minimum lot area variance, lot frontage, front yard setback, rear yard setback and variances for signage.

Mr. Adam Pfeffer, Esq., on behalf of the applicant, stated that those are all existing variances. This is an existing office building on Route 9. There is vacant property in the back of the building which they are subdividing to create four additional lots with two duplexes for a total of five lots. All of the variances are pre-existing.

Mr. Follman arrived at the meeting.

Mr. Brian Flannery, P.E., P.P. was sworn in. He reiterated that all the variances required area all pre-existing conditions. A fence is proposed between the office building and the proposed duplexes. He believes that meets the intent of the ordinance. The minimum lot size for the remaining commercial lot is less than the 1 acre that is required by ordinance but he is retaining exactly what has been there all along.

Mr. Neiman asked if there are any issues with parking currently.

Mr. Flannery said no, it conforms with the ordinance.

Mr. Neiman asked what would happen if the State decides to widen Route 9 and they take away some of the parking.

Mr. Flannery said the building is currently a combination of office/medical. If those parking spaces were eliminated down the road, it could be converted to office only and the parking would then comply with the office building requirements.

Mr. Neiman would like that in the resolution.

Mr. Flannery said that is fine.

Mr. Neiman asked about the off-street parking.

Mr. Flannery said there are currently 29 spaces which is working. Per ordinance, 27 spaces are required for the proposed uses. He does not believe the Board should impose changes to an existing site plan for a commercial building that's working. He believes what is existing and what is shown on the plans meets the intent of the ordinance. It provides satisfactory access.

Mr. Vogt said this is a private lot. If the applicant is testifying it is currently working, they have no problem if they choose to keep it the way it is.

Mr. Schmuckler asked if they would comply if they changed the use to only office and took away the 9 spaces.

Mr. Flannery said yes. The requirements for office is half of what it is for medical.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Follman, seconded by Mr. Herzl to approve the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal, Mr. Follman

- 2. SD 1945** (No Variance Requested)
Applicant: Aharon Mansour
Location: 611 & 615 East 5th Street
Block 189.01 Lots 173 & 197

Minor Subdivision to create four fee-simple duplex lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of two (2) existing residential lots into four (4) residential lots for two (2) zero lot line duplex units. The project involves an existing 20,155.8 square foot (0.46 acre) property comprised of two (2) lots known as Lots 173 and 197 in Block 189.01. The proposed properties are designated as new Lots 173.01 through 173.04 on the subdivision plan. Existing Lots 173 and 197 are slightly irregular parcels containing existing dwellings. The subdivision plan indicates all existing structures would be removed. Public water and sewer is available. Curb and sidewalk exists along the frontage of the entire property. The site is situated in the northern portion of the Township on the northeast side of East Fifth Street, southeast of School Gardens Street. East Fifth Street is a fully improved Township Road in poor condition. East Fifth Street has a forty foot (40') right-of-way. Proposed Lots 173.01 through 173.04 would become zero lot line properties. The pairs of zero lot line properties would have a combined area of just over ten thousand square feet (10,000 SF). The site is relatively flat and contains a few large trees. Sanitary sewer exists under the centerline of the road. Potable water is readily available under the northeast side of East Fifth Street. Overhead electric is located on the northeast side of East Fifth Street. The surrounding lots are predominately residential uses except for the Ella C. Clarke School to the rear. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations per testimony provided at the 5/6/14 Planning Board Meeting and comments from our initial review letter dated April 29, 2014: I. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Zero Lot Line Duplex Housing with a minimum combined lot area of ten thousand square feet (10,000 SF) is a permitted use in the zone. Statements of fact. 2. A waiver is required to permit a five foot (5') wide right-of-way easement, which is being proposed instead of a right-of-way dedication. The Board shall take action on the required waiver from providing a right-of-way dedication. If approved, the proposed easement areas shall be shown on an individual lot basis for resolution compliance submission. 3. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. We have reviewed the Outbound & Topographic Survey Plan provided and the following revisions are required: a. Add the second driveway apron for Lot 197. b. Correct the scale and add a graphic scale. c. Indicate the new curb and sidewalk to the northwest of the site. d. Locate the large trees for future compliance with the Township Tree Ordinance. The applicant's engineer indicates the Survey is being revised. The revised Survey can be provided with resolution compliance submission should approval be granted. 2. The existing fencing is encroaching into the right-of-way. However, this existing fencing is being removed. Statements of fact. 3. The Surveyor's Certification has not been signed since the monuments are not in place. Statement of fact. 4. Four (4) off-street parking spaces will be provided per unit. This exceeds the three (3) off-street parking spaces which are required for units with unspecified number of bedrooms to comply with the NJ R.S.I.S. parking requirements. The plans indicate that four (4) off-street parking spaces per unit will be required. A minimum of four (4) off-street parking spaces are required for proposed units with basements. Parking should be provided to the satisfaction of the Board. Statements of fact. 5. The General Notes indicate that seasonal high water table information will be provided with plot plan submittal. This implies basements will be proposed for the duplex units. Statements of fact. 6. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be

signed by the tax assessor. The map shall be signed by the tax assessor prior to filing should approval be granted. 7. A Tree List proposes four (4) "October Glory Maple" street trees. The locations of the proposed shade trees are shown on the Improvement Plan. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. The Board should provide landscaping recommendations, if any. The Shade Tree Commission recommends new foundation plantings for new buildings. Our site investigation indicates there are a few large existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. Tree removal can be addressed with resolution compliance submission should approval be granted. 8. The Improvement Plan proposes to replace the existing curb and sidewalk along the property frontage of new Lots 173.01 through 173.04. This is prudent because the existing sidewalk and curb is in poor condition. Statements of fact. 9. Testimony is required on the disposition of storm water from the development. The project appears too small to qualify as major development. At a minimum, dry wells will be required for storm water management and shall be provided when plot plans are submitted. Testimony on storm water management should be provided. 10. Testimony is required on site grading from the development. The Improvement Plan indicates that Grading Plans shall be submitted to the Township Engineer for all proposed lots. The proposed grades for the curb replacement indicate the gutter will not have enough pitch. Storm sewer shall be proposed for resolution compliance submission should approval be granted. 11. Should proposed utility connections disturb more than twenty percent (20%) of the road length along the site frontage, an overlay would be required. Statement of fact. 12. Compliance with the Map Filing Law is required. Statement of fact. 13. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. Statement of fact. 14. Final construction details will be reviewed during compliance should subdivision approval be granted. Statement of fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Glenn Lines, P.E., P.P. was sworn in. He stated they are creating four lots upon which there will be two duplexes constructed. No variances are requested. A minimum of four off-street parking spaces will be provided for each unit. East 5th Street has an existing 40 ft wide right-of-way where 50 ft is required. An easement is proposed rather than a dedication, therefore, a waiver is required.

Mr. Neiman opened to the public, seeing no one come forward, he closed the public.

A motion was made by Mr. Follman, seconded by Mr. Herzl to approve the application. Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal, Mr. Follman

- 3. SP 2064** (Variance Requested)
Applicant: Lev Avoth Foundation Inc
Location: 232 Iris Road
Block 19 Lot 4
Preliminary and Final Site Plan for a building addition to an existing synagogue

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a one-story addition and basement to the existing one-story synagogue, on the subject premises. The project site consists of Lot 4 in Block 19, situated in the R-12 Zone. The site is in the northwestern portion of the Township, on the southwest corner of Oak Knoll Road and Iris Road. Oak Knoll Road is an improved municipal road with a sixty foot (60') right-of-way and about a forty foot (40') pavement width. The road is in fair condition with existing curb and sidewalk across the project frontage, also in fair condition. Iris Road is an improved municipal roadway in fair condition with a fifty foot (50') right-of-way and roughly a thirty foot (30') pavement width. Curb and sidewalk in fair condition exist along this project frontage. Sanitary sewer and potable water are available and currently serve the existing lot. According to the site plan and our site investigation, the property is within a residential area. Lot 4 is a corner property and contains the existing one-story synagogue for which an addition is proposed. The surrounding properties contain residential uses. Per our site investigation, the site slopes southward toward Lake Carasaljo. There are some large existing trees on the site. In fact the site is nicely landscaped. Site access to the synagogue is provided via three (3) existing driveways with off-street parking spaces. The main access driveway and parking area is from Oak Knoll Road. Two (2) minor access driveways with off-street parking are from Iris Road. The plans indicate the proposed driveways and parking areas will service twelve (12) off-street parking spaces, whereas twenty-three (23) off-street parking spaces would be required. We have the following comments and recommendations per testimony provided at the 5/6/14 Planning Board Meeting, and comments from our initial review letter dated April 28, 2014: I. Waivers A. The following submission waivers have been requested: 1. B1 - Topography of the site. 2. B2 - Topography within 200 feet thereof. 3. B3 - Contours on the site to determine the natural drainage of the land. 4. B4 - Contours within 200 feet of the site boundaries. 5. B10 - Man-made features within 200 feet of the site. 6. C13 - Environmental Impact Statement. 7. C14 - Tree Protection Management Plan. 8. C15 - Landscaping Plan. 9. C16 - Soil Erosion and Sediment Control Plan. 10. C17 - Design calculations for drainage facilities. The Board granted submission waivers from B2, B4, and B10. An updated signed and sealed survey was submitted to satisfy the other Site Features items. We support the waiving of an Environmental Impact Statement due to the developed nature of the site. The Board granted this waiver. The applicant will be required to comply with the Township Tree Protection Ordinance as a conditional of Board approval (if/when granted). A plan shall be provided with resolution compliance submission should approval be granted. A Landscaping and Lighting Plan should be provided. A plan has been provided. A Soil Erosion and Sediment Control Plan will be required as disturbance appears to exceed five thousand square feet (5,000 SF). A plan will be required if disturbance exceeds five thousand square feet (5,000 SF). Drainage facilities shall be proposed to eliminate the increase in runoff by the development. Drainage calculations have been provided for review. II. Zoning 1. The parcel is located in the R-12 Zone. Places of worship are a permitted use in this zone. Places of worship are subject to the provisions of Section 18-905 of the UDO. Statements of fact. 2. A variance is required for Minimum Front Yard Setback. The proposed building addition will be located five feet (5') from the Iris Road right-of-way, whereas thirty feet (30') is required. It should be noted the proposed building addition would be located fifteen feet (15') from the Oak Knoll Road right-of-way. The Board shall take action on the required front yard setback variances. 3. A variance is being requested from the Parking Regulations of Section 18-905A., of the UDO. The General Notes indicate that twelve (12) off-street parking spaces are proposed, whereas twenty-three (23) off-street parking spaces are required. It is not clear how these figures have been established. Testimony should be provided. Testimony must be provided on off-street parking such that the Board can take action on the required variance for the number of spaces. 4. A waiver from the Buffer

Requirements Section 18-905B., of the UDO is required. A twenty foot (20') buffer is required from a residential use or district. For properties adjacent to residential properties, if the site leaves a twenty foot (20') undisturbed area than there are no requirements for buffering. However, if the twenty foot (20') buffer is invaded or disturbed then the following requirements shall be put in place along the invaded area: • A required buffer shall be landscaped with trees, shrubs, and other suitable plantings for beautification and screening. Natural vegetation should be retained to the maximum degree possible. On those sites where no vegetation is present or existing vegetation is inadequate to provide screening, the applicant shall suitably grade and plant the required buffer area, such that this planting shall provide an adequate screen of at least six feet (6') in height so as to continually restrict the view. A minimum on-center distance between plantings shall be such that upon maturity the buffer will create a solid screen. The buffer may be supplemented with a fence of solid material where necessary. The Board shall take action on the design waiver required from buffer area. 5. Waivers are required from planting street trees and providing a Shade Tree and Utility Easement. The Board shall take action on these required design waivers. III. Review Comments A. Site Plan/Circulation/Parking 1. An outbound survey has been submitted which does not accurately reflect the present site conditions. An updated outbound and topographic survey must be provided in order to schedule a public hearing which at a minimum shall include the following: a. Existing elevations and contour intervals. b. Tree locations. c. Signs. d. Landscape ties. e. Clean outs. f. Mailboxes. g. Well (irrigation). h. Exterior steps. i. Onsite curb. j. Wheel stops. k. Brick edging. l. Pavement striping. Most of the above corrections have been addressed. Any revisions can be provided with resolution compliance submission should approval be granted. 2. We recommend a properly scaled site plan based on an updated survey be submitted for our review. The site plan is not to scale. A signed and sealed properly scaled Site Plan will be required for resolution compliance submission should approval be granted. 3. Twelve (12) off-street parking spaces are proposed for the synagogue, none of which have been designated as ADA spaces. The General Notes indicate the number of off-street parking spaces required is twenty-three (23). However, it is not clear how the figure was attained. The architectural plans show a main sanctuary area of 2,218 square feet and an expanded locker room for an existing mikvah. The applicant's professionals shall confirm that no catering is proposed, since that use also impacts the off-street parking requirements. At the plan review, the applicant's attorney testified the addition to the basement is for a simcha/catering hall. The correct off-street parking requirements shall be added to the plans for resolution compliance submission if approval is granted. 4. The General Notes shall address horizontal and vertical datum. A vertical bench mark must be provided. This information shall be provided with resolution compliance submission should approval be granted. 5. General Note #9 shall list the R12 Zone Requirements. The required aggregate side yard setback shall be twenty-five feet (25'). The provided minimum lot width should be based on the smaller lot frontage. The provided minimum side yard setback should be ten feet (10'), proposed. These corrections shall be provided with resolution compliance submission should approval be granted. 6. A proposed site plan is required showing all alterations to curb, sidewalk, and driveways on the project frontages. A pedestrian bypass is required along the Oak Knoll Road frontage since the distance exceeds two hundred feet (200'). Proposed curb ramps must be designed at the intersection. The proposed site plan shall be provided with resolution compliance submission should approval be granted. 7. The plan must be revised clarifying existing improvements to remain and to be removed. Revised plans shall be provided with resolution compliance submission should approval be granted. 8. Existing and proposed building dimensions must be completed. All existing and proposed building access points must be shown. The existing setback on site plan shall be changed from 25.7' to 24.84' per the Survey of Property. All

information shall be provided with resolution compliance submission if approval is granted. 9. As noted previously, synagogue site access is proposed via driveways that intersect Oak Knoll Road and Iris Road. The existing and proposed curb locations for the off-street parking areas must be dimensioned from the property lines. Proposed dimensioning should be completed throughout the site. This information shall be provided with resolution compliance submission should approval be granted. 10. Most of the onsite sidewalk with brick edging will be removed from the site. Existing and proposed onsite sidewalk must be shown connecting the parking areas to the building. This information shall be provided with resolution compliance submission should approval be granted. 11. Curb ramps shall be proposed onsite where necessary. This information shall be provided with resolution compliance submission should approval be granted. 12. Solid waste and recycling has not been addressed. A proposed refuse area has not been shown for the synagogue. In addition, a refuse/recyclable storage area detail has not been provided. At the plan review, the applicant's attorney testified that trash collection is going to move from the driveway in Iris Road to the other side of the building. Solid waste and recycling shall be addressed with resolution compliance submission should approval be granted. 13. A proposed Sight Triangle Easement shall be added to intersection. The proposed easement shall be dedicated to the Township. A description and deed of easement shall be provided to the board attorney and engineer for review. This information shall be provided with resolution compliance submission should approval be granted. 14. A Shade Tree and Utility Easement shall be proposed for the project. Proposed survey data must be provided. A description and deed of easement shall be provided to the board attorney and engineer for review. Unless a waiver is approved by the Board, this information shall be provided with resolution compliance submission should site plan approval be granted. B. Architectural 1. Preliminary plans have been provided for the proposed building addition. Basement and first floor plans have been provided along with elevations. The proposed elevations confirm the proposed building addition does not exceed the allowable height of thirty-five feet (35'). Final architectural drawings shall be provided with resolution compliance submission should approval be granted. 2. The existing and proposed building layout and square footage must be checked and coordinated with the site plan. Final architectural drawings shall be provided with resolution compliance submission should approval be granted. 3. ADA accessibility will be provided to the first floor. Final architectural drawings shall be provided with resolution compliance submission should approval be granted. 4. Testimony should be provided as to whether the synagogue will have a sprinkler system. The General Notes indicate the proposed addition intends to use available sanitary sewer and potable water services. Testimony should be provided on fire safety. 5. Testimony should be provided as to where HVAC equipment is proposed for the building and how the equipment will be adequately screened. The location and screening of HVAC equipment can be provided with resolution compliance submission should approval be granted. 6. The roof drainage of the existing and proposed building must be coordinated with the site plan. Final architectural drawings shall be provided with resolution compliance submission should approval be granted. 7. We recommend that renderings be provided for the Board's review and use at the public hearing, consistent with the building footprint as depicted on the site plans. Statement of fact. C. Grading 1. A dedicated grading plan has not been provided and is required. The proposed grading cannot be reviewed until a topographic survey has been submitted. A dedicated grading plan shall be provided with resolution compliance submission should approval be granted. 2. A soil log shall not be required unless the proposed basement depth is altered. The proposed basement floor elevations and first floor elevations shall be clarified. This information can be provided with resolution compliance submission should approval be granted. 3. A review of the grading plan will be performed when a topographic survey and revised plans have been submitted. A grading plan shall be provided

with resolution compliance submission should approval be granted. D. Storm Water Management 1. Proposed storm water management facilities have not been provided and will be required. Our site investigation suspects some type of underground recharge has been provided for the downspouts of the existing building. Testimony should be provided on existing storm water management. 2. The project will not increase impervious surface by over a quarter of an acre. Therefore, the proposed storm water management facilities shall not be designed to handle the requirements for Major Development. Storm Water Management Calculations shall be provided with a revised submission. The submission of Storm Water Management Calculations confirms the project is not Major Development. Therefore, the project shall be designed to handle just the increase in runoff from impervious surface. A proposed design shall be provided with resolution compliance submission should approval be granted. 3. Storm water management will be reviewed in detail with a revised submission. Storm water management will be reviewed with resolution compliance submission should approval be granted. E. Landscaping 1. A dedicated Landscaping Plan shall be provided with a revised submission. The existing landscaping onsite is quite plentiful and well maintained. The existing site has an irrigation system and an onsite well is believed to be for irrigation purposes. A dedicated Landscaping Plan has been provided. The plan retains existing plantings where possible. The plan proposes twenty-two (22) Green Gem Boxwoods, five (5) Leyland Cypress, and one (1) Dragon Lady Holly. 2. The final landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Shade Tree Commission as practicable. The Shade Tree Commission recommended that if any existing trees are affected by this development, the impacted trees should be replaced with trees of appropriate caliper. The Board should provide landscaping recommendations (if any). 3. Landscaping shall be reviewed in detail with resolution compliance submission should site plan approval be granted. Statement of fact. F. Lighting 1. A dedicated Lighting Plan should be provided with a revised submission. A dedicated Lighting Plan has been provided. The plan only proposes new locations of three (3) existing wall mounted spotlights. 2. A point to point diagram will be required for the parking area. To insure proper lighting with no spillage issues a point to point diagram must be provided with resolution compliance submission should approval be granted. 3. Lighting should be provided to the satisfaction of the Board. The Board should provide lighting recommendations (if any). 4. The final lighting design shall be reviewed with resolution compliance submission, if/when Board approval is granted. Statement of fact. G. Utilities 1. The existing site is served by public water and sewer from New Jersey American Water Company since the project is within their franchise area. Testimony should be provided as to whether it is intended that the existing sewer and water services will be reused for the addition. Testimony should be provided on utilities. H. Signage 1. No site identification signage information is provided. However, the architectural plans show that some schematic building signage information is being provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. Testimony shall be provided on proposed signage. I. Environmental 1. Site Description To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. Testimony should be provided on any known areas of environmental concern that exist within the property. The applicant's professionals should provide testimony on any known areas of environmental concern. 2. Tree Management Plan As indicated previously, a Tree Management Plan

must be provided. The applicant must comply with the Tree Protection ordinance requirements as a condition of Board approval (if/when granted). A Tree Protection Management Plan shall be provided with resolution compliance submission should approval be granted. J. Construction Details 1. Construction details have not been provided. Construction details must be provided with resolution compliance submission should approval be granted. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. Statements of fact. 3. Final review of construction details will take place after resolution compliance submission (if/when approval is granted). Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement (if required, at the discretion of the Township); b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Vogt stated that variances are being requested for minimum front yard setback and off-street parking. A design waiver is being sought from perimeter buffer requirements.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated they are seeking site plan approval for an addition to an existing synagogue. She explained that the current synagogue is not large enough to handle all of its congregants. This is an established neighborhood with mostly single family homes and is one of the few neighborhoods in town that is not growing. This addition is to accommodate the existing families that come to pray and to host an occasional kiddish on shabbos for a wedding, bar mitzvah, etc. The basement is used only on the sabbath and only by members. It will not be rented out. There will be no parking issues associated with the hall. Testimony will be provided concerning the 5 ft front yard setback and they will show that it will have virtually no impact on the neighborhood as it is only one step up from ground level.

Mr. Brian Flannery, P.E., P.P., was sworn in. He entered a rendering of what the 5 ft front setback would look like as exhibit A-1. He said it will basically look like a patio.

Mr. Neiman said this is a prominent synagogue in the area and there is just not enough space for the children to join their parents during services.

Mr. Schmuckler asked why this patio is considered part of the building and therefore requires a setback variance.

Mr. Flannery could argue that but this is something that really isn't defined. The way it has been done in the past, if it is questionable then request the relief just to be safe.

Mr. Schmuckler said this is not a variance that the Board usually sees.

Mr. Flannery said that is correct.

Mr. Neiman said obviously this Board would not grant a building 5 ft from the property line.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve the application.

Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Follman
No: Mr. Franklin, Mr. Banas
Abstain: Mr. Percal

4. SP 2071AA (No Variance Requested)

Applicant: Bais Medrash of Coughlin Street

Location: 1201 Manor Drive

Block 1051 Lot 90

Change of Use/Site Plan Exemption to convert an existing dwelling into a house of worship, with a building addition

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for addition to, and conversion of an existing two-story single-family residential dwelling at 1201 Manor Drive into a Synagogue and Mikvah use. As depicted on the Change of Use Plan, a 17' x 34' addition is proposed on the north side of the existing structure. As depicted on the site plan, Lot 90 is a rectangular-shaped 12,000 sf property with frontage on Manor Drive and Chestnut Street. Properties surrounding the site are predominantly single-family residential in nature. As illustrated on the site plan, a six-car paved parking area is proposed along the Manor Drive frontage, and a handicap accessible ramp and sidewalk are proposed to provide access from the Chestnut Street frontage. The property is situated within the R-20 Single Family Residential Zone.

I. Zoning

1. The property is located in the R-20 Single-Family Residential Zone. Places of Worship are permitted in the zone, subject to the requirements of Section 18-905 of the UDO.

2. Per review of the Change of Use Site Plan, no new bulk variances appear necessary for the change of use request. However, the Zoning Table should be revised to identify both front yard setbacks, and setback distances. Said distances should be labeled on the plans as well.

3. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project:

- Providing landscaping.
- Providing lighting.
- Providing trash/recyclables storage location(s).

At a minimum, perimeter buffer requirements stipulated in Section 18-905A must be addressed (or relief sought).

II. Review Comments

1. Testimony should be provided by the applicant for the Board to support the proposed change in use, including but not limited to the following issues:

- a. How many congregants (maximum) are anticipated for the sanctuary use?
- b. Are any other ancillary uses (i.e., school, residential, other) proposed with this change of use?
- c. What is the anticipated parking demand for the sanctuary use?
- d. Is catering proposed at this facility?
- e. Will the mikvah have more than 5 changing rooms (i.e., requiring more parking)?
- f. Is residency within the retrofitted building proposed (i.e., the Master Bedroom depicted on the Mezzanine Floor Plan)?

2. Per Section 18-905A of the UDO, based on the proposed 1,350 sf of sanctuary space as identified in the application, six (6) off-street parking spaces are required per the UDO. Six (6) new off-street spaces are provided.

3. Testimony should be provided regarding proposed trash and recyclables pickup (i.e., curbside for DPW pick-up, other).

4. No new landscaping is proposed. Landscaping shall be provided to the satisfaction of the Board.

5. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board.

6. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed synagogue use.

7. If Board approval is granted, it should be subject to the applicant's engineer providing design information and details for all proposed site improvements during compliance, including but not limited to:

- The proposed off-street parking area;
- The final handicap accessible ramp design;

8. The site plan waiver (if approved) does not relieve the applicant's

obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Rennert stepped down.

Mr. Banas does not think this application is ready to be heard. He sees on the review letter that the architectural plans submitted were not signed, sealed or dated.

Mr. Vogt said they are not questioning the plans drawn up by the architect. He is simply noting that they were not signed or sealed.

A discussion ensued whether or not they should proceed with the application.

Mr. Glenn Lines, P.E., P.P., was sworn in. He said generally they do not submit signed and sealed architectural plans because they are reduced in size. Two full size plans are submitted which are signed and sealed.

Mr. Vogt said this is very typical. The applicant would eventually have to submit signed and sealed drawings or they will not be able to obtain a building permit.

Mr. Neiman is ok with proceeding with this application.

Mr. Banas is still not comfortable going forward.

Mr. Neiman believes the big issue is the plans are not even dated. If the two senior members have an issue with it then they will carry this application to the next meeting. He advised the applicant's professional to make sure the plans are dated for the next meeting.

A motion was made by Mr. Follman, seconded by Mr. Herzl to carry this application to the July 15, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Sussman, Mr. Follman, Mr. Percal

No: Mr. Schmuckler

5. SP 2075AA (Variance Requested)

Applicant: Oros Bais Yaakov

Location: Rutgers Boulevard

Block 1609 Lot 35

Change of Use/Site Plan Exemption to convert existing industrial building into a school

Project Description

The applicant is seeking Site Plan exemption/Change of Use approval for conversion of a portion of an existing industrial building into a Girls High School, and amenities per Section 18-906 of the UDO. The existing building is depicted as a one-story, masonry and steel construction building. Existing parking and access drives are depicted on the property survey. The applicant proposes adding a new access entrance near the northern corner of the Rutgers Boulevard frontage, which will serve to provide a one-way vehicle access through the existing northerly parking area and five (5) proposed bus parking stalls located along the east side of the

proposed (converted) school building, utilizing the existing southerly Rutgers Boulevard access as a one-way exit onto Rutgers Boulevard. Paved parking and loading areas also exist along the southern side of the building as depicted on the survey and change of use plans. The site is located in the Industrial Park, on the south side of Rutgers Boulevard, approximately 250 feet south of its intersection with Swarthmore Avenue. The tract is rectangular in shape, and is 3 acres in area (as reported on the Change of Use plans). Commercial and light industrial sites surround the property.

I. Zoning 1. The property is located in the M-1 (Industrial) Zone. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Site Plan and the zone requirements, the existing and proposed layout complies with the Bulk requirements of the M-1 zone, except for Side Yard setback (29.8 feet existing, 30 feet required). As noted, this is a pre-existing condition. 3. No new bulk variances appear necessary for the change of use request. 4. Per review of the Change of Use Site Plan, the following design waivers appear necessary required for the proposed project:

- Providing landscaping.
- Providing lighting.
- Providing 10-foot perimeter screening buffer, per UDO Section 18-906 A(1).
- Proposed parking within perimeter buffer, per UDO Section 18-906 B.

II. Review Comments 1. We recommend that the applicant's professionals provide colored renderings of the proposed building elevations (architectural sheet A-5) for the Board's review at the public hearing. 2. Testimony should be provided by the applicant for the Board summarizing the proposed use of the school, including but not limited to the following:

- a. A summary of the proposed school retrofit plan, including total numbers of rooms, offices and congregation areas (to determine parking requirements as per UDO standards).
- b. How many students are proposed at the school.
- c. How many employees are proposed at the school at any one time.
- d. How many buses are proposed (daily).
- e. Will any students drive, or dropped off and picked up (by car).

3. We note that per information provided on the Change of Use Plan and architectural plans, existing parking designated for this use will likely exceed UDO requirements as outlined in Section 18-906. However, confirming testimony is required from the applicant's professionals. 4. We recommend that the local Fire Code official review the proposed school fit-out and change in use to confirm that it is acceptable fire-fighting purposes, or whether additional amendments (e.g., fire lanes, other) are necessary. 5. As depicted on the Change of Use site plans, one-way vehicular access is proposed from a new access drive near the northerly corner of the Rutgers Boulevard frontage, leading to a proposed one-way access drive with a minimum width slightly less 15 feet in width. Abutting the west side of this one-way access drive will be five (5) 12' x 40' bus stalls, as well as nine (9) parking spaces nearest to the east side of the converted school building. 6. Per review of the proposed bus circulation design as depicted on the Change of Use Plan, the proposed entrance and access drive do not provide for adequate movement of buses through the site. The circulation design could be corrected by widening the proposed 24-foot wide entrance drive southerly, making the drive wide enough to allow buses to turn and circulate through the drive aisle without conflicting with parked buses that will be in the bus stalls during school hours. Said revisions will likely require elimination of at least 2-3 parking spaces nearest to the access drive. Per communications with the applicant's professionals, it is our understanding that the applicant would agree to these revisions as a condition of Board approval if/when forthcoming. 7. Since access to and from the nine (9) parking spaces will be blocked by parked buses during parts of school hours, we recommend that said spaces be depicted as employee-only. 8. Similarly, access to and from the proposed two (2) handicapped accessible spaces will be restricted when buses are parked in the stalls. We recommend two additional handicapped accessible spaces be provided in the strip of 27 spaces as depicted near the southern portion of the property (across from the sidewalk that leads to the entrance). 9. If students and/or parents are going to drive to and from the facility during school hours, we recommend that the 27 spaces depicted along the southerly

edge of parking be restricted to visitors' use. 10. We recommend that, as a condition of Board approval (if granted), all paved areas in need of repair be resurfaced and/or reconstructed prior to application for certificate of occupancy. 11. A detailed striping and directional signage package will be required during compliance review, if/when Board approval is granted. 12. The applicant's professionals should address proposed recreational amenities to the Board's satisfaction. We note that the architectural retrofit plans depict a "Gym" area. 13. We recommend that a representative of the Lakewood Industrial Commission review the proposed change of use to determine conformance with Section 18-906 F of the UDO. 14. The applicant's professionals must confirm that there are no known areas of environmental concern (AOC's) associated with the existing building or property. 15. As noted on the Change of Use application, virtually all site improvements necessary to support the change in use are pre-existing, and within the Industrial Park. The Board should determine if additional buffer landscaping (per UDO Section 18-906) is warranted. Landscaping (if any) shall be provided to the satisfaction of the Board. 16. Per General Note #8 on the Change of Use Plans, solid waste and recyclables will be picked up by the Township. Although no additional information is provided, an "Existing Refuse Area" is depicted at the edge of a large paved area near the southern portion of the property. If this enclosure is to be used, it should be upgraded (and screened) per applicable Township standards. 17. If DPW pickup is proposed, DPW review of the enclosure should be a condition of Board approval, if granted. 18. Testimony should be provided regarding existing (or proposed) lighting. The applicant must provide lighting to the Board's satisfaction, and per applicable Township standards. 19. Construction details for all proposed site improvements will be required, and reviewed with necessary site design revisions during compliance (if board approval is granted). 20. Information and/or testimony should be provided, confirming that existing utilities serving the building are adequate for the proposed school use. 21. Any additional information necessary to document compliance with Section 18-906, "Public and Private Schools" of the UDO should be provided at time of the public hearing. 22. If Board approval is granted, the applicant is still required to obtain all additional local or outside agency approvals necessary to support the change of use.

Mr. Vogt stated that there are no variances requested. Several waivers are requested including landscaping, lighting, buffer and for allowing parking within that buffer.

Ms. Leah Lederberger, Esq., of Samuel Brown's office represented the applicant.

Mr. Brian Flannery, P.E., P.P. was sworn in. No bulk variances are requested. There is an existing condition of 29.8 ft where 30 ft is required. The items on the buffering with respect to the parking, it is an existing building. He believes what is there fits the intent of the ordinance. The use is going to be for a girl's high school. There are 8 classes with 230 students. The maximum would be 400 students. At any one time there are 12 employees. Currently there are 5 buses where there would only be 3 maximum at any one time and they fit on the site plan as submitted.

Mr. Neiman asked if there are any changes to the exterior of the building.

Mr. Flannery said they have not indicated changes.

Mr. Neiman asked about the bus circulation.

Mr. Vogt said they have recommended revisions to the circulation.

Mr. Flannery has no problem with them and would satisfy his comments in the report.

Mrs. Morris asked if there will be a second story.

Mr. Flannery said yes.

Mr. Neiman asked if that would change the exterior look of the building.

Mr. Flannery said no. Most of the work is interior.

Mr. Neiman opened to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She asked if this is a contract purchase.

Mrs. Morris said as far as she is aware, it is not. The paperwork that was submitted indicates that the school currently owns the property.

Ms. Gill said there will be an issue with parking if they put a second story on. She said that the building is currently being worked on. She asked if they have the proper permits to do so.

Mrs. Morris stated that would be the jurisdiction of the building department. Her department does not issue permits.

Ms. Gill said the bus turnaround is not sufficient.

Mr. Schmuckler said the bus turnaround is in the front. The bus ingress and egress is detailed on the plans.

Ms. Gill complained about the ratables and stated there should be a school zone.

Mr. Neiman closed to the public.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve the application. Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Mr. Follman, Mr. Rennert, Mr. Percal

- 6. SP 2076AA** (Variance Requested)
Applicant: Congregation Etz Hayim
Location: 21 Cedar Street
Block 777 Lot 48
Change of Use/Site Plan Exemption to convert dwelling into a synagogue

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for addition to, and conversion of an existing one-story single-family residential dwelling at 21 Cedar Street into a Synagogue with 750 feet of (useable) main sanctuary space. As depicted on the submitted survey plan, a 10'x50' addition is proposed on the rear of the existing structure (by adding a trailer). As depicted on the site plan, Lot 8 is a rectangular-shaped 15,000 sf property with

frontage on Cedar Street. Properties surrounding the site are predominantly single-family residential in nature. As illustrated on the site plan, an existing concrete driveway provides up to four (4) off-street parking spaces as proposed. The Board previously granted Site Plan approval for this property in March, 2011 via application SP#1946, for the construction of a two-story synagogue with 1,833 sf of main sanctuary area, which included an exposed basement and an 18-space parking lot. The property is situated within the R-10 Single Family Residential Zone. I. Zoning 1. The property is located in the R-10 Single-Family Residential Zone. Places of Worship are permitted in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Change of Use Site Plan, no bulk variances appear necessary for the change of use request. 3. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • Providing landscaping. • Providing lighting. • Providing trash/recyclables storage location(s). At a minimum, perimeter buffer requirements stipulated in Section 18-905A must be addressed (or relief sought). II. Review Comments 1. No architectural information was provided on the conversion of the existing dwelling or for the proposed 10' x 50' trailer addition. Testimony must be provided regarding proposed architectural improvements to the Board's satisfaction. 2. Testimony should be provided by the applicant for the Board to support the proposed change in use, including but not limited to the following issues: a. How many congregants (maximum) are anticipated for the sanctuary use? b. Are any other ancillary uses (i.e., school, residential, other) proposed with this change of use? c. What is the anticipated parking demand for the sanctuary use? d. Is catering proposed at this facility? e. Is residency within the retrofitted building proposed? 3. Per Section 18-905A of the UDO, based on the proposed 750 sf of sanctuary space (only) as referenced in the application, no additional off-street parking spaces are required per UDO requirements. Up to four (4) off-street spaces are provided. 4. Testimony should be provided regarding proposed trash and recyclables pickup (i.e., curbside for DPW pick-up, other). 5. No new landscaping is proposed. Landscaping shall be provided to the satisfaction of the Board. 6. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 7. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed synagogue use. 8. If Board approval is granted, it should be subject to the applicant's engineer providing design information and details for all proposed site improvements (if any) during compliance, including but not limited to: • Architectural drawings depicting the proposed retrofit and addition, and identifying no more than 750 sf of proposed sanctuary space. 9. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Vogt stated he does not believe any bulk variances are requested. Design waivers are required for landscaping, lighting and trash.

Mr. Joe Kociuba, P.E., was sworn in. This is a change of use application to a proposed synagogue. The application provides 4 parking spaces where 0 are required. Landscaping will be provided to the satisfaction of the Board. No lighting is being proposed as it is a residential area.

Mr. Vogt asked if there would be any operations after hours where they would need lighting.

Mr. Kociuba said he does not believe so.

Mr. Neiman asked if there will be a hall rented out.

Mr. Kociuba said no.

Mr. Neiman asked if this shul will primarily be used on the weekend.

Mr. Kociuba said that is correct.

Mr. Neiman said there would not be enough parking spaces for a minyan if there was one.

Mr. Kociuba said they are providing 4 parking spaces and there is some on-street parking along Cedar Street. There are only 4 houses on that side of the street.

Mr. Schmuckler said this is an extremely narrow street and it is in horrible condition. This street is frequently used as short cut to get away from the Pine Street/Route 9 intersection. He would like to know the shuls background.

Mr. Kociuba said there is currently an approval for a proposed shul. They are not looking to vacate that approval but they are just looking to utilize the site in its current state until such time when they proceed with a full site plan.

Mr. Banas asked about the trailer.

Mr. Kociuba said that is to expand the usable area of the existing residential structure. It will be attached to the building.

Mr. Banas asked how long the trailer will be there.

Mr. Kociuba said they are allowed to have the trailer for up to two years. He reiterated that it will be removed along with the existing structure as a full site plan for a new synagogue has already been approved.

Mr. Neiman would like to include that as a condition of approval. The trailer may remain for up to two years.

Mr. Kociuba said that is fine.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Herzl, seconded by Mr. Follman to approve the application
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Percal

7. **SD 1949** (Variance Requested)
Applicant: Aaron Finkelstein
Location: 2, 4, 6 Congress Street & 227 Ocean Avenue
Block 250 Lots 2, 3, 4, & 5
Minor Subdivision to create 6 fee simple duplex units

Project Description

The applicant seeks minor subdivision approval for the subdivision of four (4) existing residential lots into six (6) residential lots for three (3) zero lot line duplex units. The project involves an existing 31,056 square foot (0.71 acre) property comprised of four (4) lots known as Lots 2 through 5 in Block 250. The proposed properties are designated as new Lots 2.01 through 2.06 on the subdivision plan. The overall tract is roughly "L" shaped containing numerous existing buildings. The subdivision plan indicates all existing structures would be removed. Public water and sewer is available. Curb and sidewalk exists along the Route 88 and Congress Street frontages. Only sidewalk exists along the Bruce Street frontage. The site is situated in the northern portion of the Township on the west side of Congress Street between Route 88 and Bruce Street. Bruce Street is an improved Township Road with pavement in fair condition, no curb, and sidewalk in poor condition. Bruce Street has a fifty foot (50') right-of-way with about a thirty foot (30') pavement width. Congress Street is a fully improved Municipal Road with pavement in fair condition, curb and sidewalk in poor condition. Congress Street also has a fifty foot (50') right-of-way with an approximately thirty foot (30') pavement width. In addition, the project has fifty foot (50') of frontage along Route 88, west of Congress Street. Route 88 is an improved State Highway with pavement, curb, and sidewalk in fair condition. This State Highway only has a fifty foot (50') right-of-way width and a thirty foot (30') pavement width in this location. Proposed Lots 2.01 through 2.06 would become zero lot line properties. The pairs of zero lot line properties would have combined areas exceeding ten thousand square feet (10,000 SF). The site is relatively flat and contains some large trees. Sanitary sewer exists under both Bruce Street and Congress Street. Potable water is readily available under the south side of Bruce Street and the west side of Congress Street. Overhead electric and gas are also present. The surrounding lots are mixed uses since the project abuts a commercial zone. However, all the lots within the tract are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations per testimony provided at the 6/10/14 Planning Board Meeting and comments from our initial review letter dated June 4, 2014:

I. Zoning

1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Zero Lot Line Duplex Housing with a minimum combined lot area of ten thousand square feet (10,000 SF) is a permitted use in the zone. Statements of fact.
2. Front Yard Setback variances are required for proposed Lots 2.01, 2.02, 2.05, and 2.06. Front yards of twenty feet (20'), twenty-two feet (22'), ten feet (10'), and ten feet (10') are proposed for new Lots 2.01, 2.02, 2.05, and 2.06 respectively. Twenty-five foot (25') front yard setbacks are required. The plans have been revised and proposed Lots 2.05 and 2.06 are now requesting a twelve foot (12') front yard setback. The Board shall take action on the front yard setback variances required.
3. A Rear Yard Setback variance is required for the combination of proposed Lots 2.05/2.06. Rear yard setbacks of seven feet (7') are proposed. Fifteen foot (15') rear yard setbacks are required. The Board shall take action on the required rear yard setback variance.
4. The Maximum Building Coverage of thirty-five percent (35%) is being exceeded for the combination of proposed Lots 2.01/2.02. Unless the proposed building footprint is slightly reduced, a coverage variance would be required. Building dimensions have been revised and no coverage variance is required.
5. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.

II. Review Comments

1. We have reviewed the Outbound & Topographic Survey Plan provided and the following revisions are required:
 - a. The title block should include Lots 2 through 5.
 - b. A graphic scale shall be added.
 - c. We calculate the tract area as 31,056 square feet.
 - d. All valves, walks, driveways, fences, signs, poles, and mailboxes shall be added.
 - e. Existing roadway elevations must be to the hundredth of a foot for design purposes.
 - f. Locate the large trees for future

compliance with the Township Tree Ordinance. The applicant's engineer indicates the survey will be forwarded when the revisions are complete. The revisions can be provided with resolution compliance submission should approval be granted. 2. The Surveyor's Certification has not been signed since the monuments are not in place. Statement of fact. 3. The proposed minimum lot widths for new Lot 2.04 and the combination of new Lots 2.03/2.04 in the Zoning Data require correction. The Zoning Data can be corrected for resolution compliance submission if approval is granted. 4. The proposed front setback dimension for new Lot 2.05 shall be corrected to ten feet (10'). Proposed Lots 2.05 and 2.06 have been revised and now would have front yard setbacks of twelve feet (12'). 5. The proposed maximum building coverage for the combinations of new Lots 2.01/2.02, 2.03/2.04, and 2.05/2.06 shall be corrected in the Zoning Data. Zoning Data for proposed maximum building coverage has been corrected. However, the Zoning Data for proposed rear yards of new Lots 2.01 and 2.02 must be corrected because of the reduction in building size. These corrections can be provided with resolution compliance submission should approval be granted. 6. Four (4) off-street parking spaces will be provided per unit. This exceeds the three (3) off-street parking spaces which are required for units with unspecified number of bedrooms to comply with the NJ R.S.I.S. parking requirements. The plans indicate that four (4) off-street parking spaces per unit will be required. A minimum of four (4) off-street parking spaces are required for proposed units with basements. Parking should be provided to the satisfaction of the Board. The Improvement Plan proposes eight (8) off-street parking spaces for new Lot 2.01, four (4) spaces along each street frontage. Proposed Lot 2.01 has been revised and now would have four (4) total parking spaces, two (2) along each street frontage. 7. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. The map shall be signed by the tax assessor prior to filing should approval be granted. 8. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 2.01 through 2.06. The proposed easement information and areas are shown on an individual lot basis. The proposed easement area on new Lot 2.04 shall be corrected to one hundred eighty-three square feet (183 SF). The proposed six foot (6') dimension for the easement on new Lot 2.04 shall be checked since the line is skewed. Proposed shade tree easement areas shall be revised to one hundred eighty-three square feet (183 SF) for new Lot 2.04 and four hundred eighty square feet (480 SF) for new Lot 2.05 with resolution compliance submission should approval be granted. 9. A 25' X 25' Sight Triangle Easement to the Township of Lakewood is proposed at the intersection of Bruce Street and Congress Street. A similar easement proposed at the intersection of Congress Street and Route 88 shall be revised since the easement will be dictated by the State instead of the Township. The applicant's engineer indicates that State Sight Triangle requirements are being assessed. This matter shall be addressed with resolution compliance submission should approval be granted. 10. The plans propose fourteen (14) "Willow Oak" street trees. The locations of the proposed shade trees are shown on the plans. Proposed shade trees shall not conflict with sight triangle easements or driveways. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. The revised plans propose twelve (12) "Willow Oak" street trees. The Tree List shall be revised accordingly. The Board should provide landscaping recommendations, if any. The Shade Tree Commission recommends foundation plantings and arborvitae to screen the development from adjacent lots on the west and south sides. Our site investigation indicates there are some large existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. Tree removal can be addressed with resolution compliance submission should approval be granted. 11. The Improvement Plan proposes to replace the existing curb and sidewalk along the

Congress Street property frontage. The Improvement Plan also proposes to replace existing sidewalk and construct new curb along Bruce Street. This is prudent because the existing sidewalk and curb is in poor condition at these locations. Detectable warning surface shall be proposed for the curb ramp at the Congress Street and Route 88 intersection. Detectable warning surfaces have been proposed. 12. Testimony is required on the disposition of storm water from the development. The project may qualify as major development. At a minimum, dry wells will be required for storm water management and shall be provided when plot plans are submitted. The applicant's engineer indicates the increase in impervious areas will be assessed when a revised survey is completed. Necessary storm water requirements will then be addressed for resolution compliance submission if approval is granted. 13. Testimony is required on site grading from the development. The Improvement Plan requires that proposed grading be added because of the intensity of the proposed project. Proposed site grading shall be added to the Improvement Plan with resolution compliance submission if subdivision approval is granted. 14. Should proposed utility connections and curb construction disturb more than twenty percent (20%) of the respective road lengths along the site frontages, an overlay would be required. Statement of fact. 15. Compliance with the Map Filing Law is required. Statement of fact. 16. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. Statement of fact. 17. Final construction details will be reviewed during compliance should subdivision approval be granted. Statement of fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. New Jersey Department of Transportation (if required); and e. All other required outside agency approvals.

Mr. Vogt stated that variances are required for minimum front yard and rear yard setbacks. The building coverage variance has been eliminated.

Mr. Brian Flannery, P.E., P.P. was sworn in. This property is in dire need of redevelopment. The front yard setback requested is less than what the existing buildings are currently at. A plan which shows the proposed and existing buildings was entered as exhibit A-1.

Mr. Neiman asked if they are asking for a lot coverage variance.

Mr. Flannery said no. A front yard variance is being requested for the corner lot facing congress Street which is typical of corner lots and the one existing 50 ft lot in order to make a reasonable building fit. He believes all the variances are reasonable and minimal in nature.

Mr. Neiman asked about the drainage in that area.

Mr. Vogt said drainage is typically handled at plot plan level. Drywells are usually required.

Mr. Neiman asked about the sidewalks.

Mr. Flannery said they would repair the sidewalks as directed by the Township engineer. The rest of the comments in the engineer's review letter can be met during compliance.

Mr. Schmuckler is not comfortable with the variances.

Mr. Flannery said they are reducing the front and the rear yard setbacks. They are making the building bigger but the closeness to the neighbors is reduced.

Mr. Neiman said perhaps that lot should not have a duplex on it. A single family home would fit nicely there.

Mr. Flannery believes a duplex would fit in better than a single family home.

Mr. Schmuckler does not have a problem with duplexes. He is more concerned about the look when coming down Congress Street. He wants to make sure nothing protrudes further into those setbacks, patio, steps, etc.

Mrs. Weinstein said that is frequently done at the Zoning Board and they would comply with that.

Mr. Neiman would feel more comfortable with one home rather than a duplex. It's a long structure right on the street.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

Mr. Schmuckler asked if they would shrink the building a foot and a half and keep all protrusions out of the front setback.

Mrs. Weinstein said that is acceptable.

Mr. Vogt asked where they would do landings for the houses.

Mr. Flannery said they would have cut ins in the buildings that would accommodate that. The landings would respect the setback.

The front yard setback would be 13.5 ft with no protrusions.

A motion was made by Mr. Schmuckler, seconded by Mr. Rennert to approve the application.

Affirmative: Mr. Herzl, Mr. Sussman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

No: Mr. Franklin, Mr. Banas, Mr. Neiman

Abstain: Mr. Percal

- 8. SD 1950** (Variance Requested)
Applicant: Binyomin Meisels
Location: 295 Albert Avenue & Charity Tull Avenue
Block 854 Lots 5 & 6
Minor Subdivision to create three lots

Project Description

The applicant seeks approval to subdivide two (2) existing lots into three (3) proposed lots. The site, consisting of existing Lots 5 and 6 in Block 854 would be subdivided into proposed Lots 5.01, 5.02, and 5.03 as designated on the subdivision plan. Sanitary sewer and potable water are not available. The existing tract consists of two (2) adjacent rectangular 100' X 200' lots of twenty thousand square feet (20,000 SF), creating a square 200' X 200' forty thousand square

foot (40,000 SF) parcel. Existing Lot 5 contains a two-story dwelling with attached two-car garage and a back deck. Existing Lot 6 is a vacant wooded lot. The site is situated in the central portion of the Township and has road frontages on three (3) sides. Existing Lot 5 with the dwelling is on the northerly corner of the intersection of Albert Avenue with East Spruce Street. Albert Avenue is an improved municipal road in fair condition with a fifty foot (50') wide right-of-way and almost a thirty foot (30') pavement width. No curb and sidewalk exists along Albert Avenue. East Spruce Street is an unimproved fifty foot (50') right-of-way. Existing Lot 6 which is vacant is on the easterly corner of the intersection of East Spruce Street with Charity Tull Avenue. Charity Tull Avenue is also an unimproved fifty foot (50') right-of-way. The proposed subdivision is contingent upon the vacation of the unimproved right-of-ways. Half of the unimproved right-of-ways, a twenty-five foot (25') width, would be added to the proposed lot areas. Proposed Lot 5.01 would become a 65' X 225' rectangular 14,625 square foot new building lot. Proposed Lot 5.02 containing the existing two-story dwelling would become an 80' X 225' rectangular eighteen thousand square foot (18,000 SF) lot. Proposed Lot 5.03 would become an 80' X 225' rectangular eighteen thousand square feet (18,000 SF) new building lot. All proposed lots would front Albert Avenue. Existing Lot 5 contains the two-story masonry dwelling, attached garage, and a bituminous concrete driveway. All of these improvements would remain on proposed Lot 5.02. Existing Lot 6 which is wooded would become the rear yards of proposed Lots 5.01 through 5.03. The property slopes generally downward to the south, towards Albert Avenue. Individual septic disposal systems and potable wells will be required to serve this subdivision. There is overhead electric on the northwest side of Albert Avenue. The proposed lots are situated within the R-20 Single-Family Residential Zone. Unless vacant, the surrounding land uses are generally residential. We have the following comments and recommendations: The Minor Subdivision Plan must be signed and sealed by a Professional Land Surveyor, not a Professional Engineer, and must meet the Map Filing Law. I. Zoning 1. The parcels are located in the R-20 Single-Family Residential Zone District. Single-family detached housing is a permitted use under R-20 Zoning requirements. 2. Per review of the Subdivision Map and the zone requirements, variances are required for Minimum Lot Area. New Lot 5.01 proposes an area of 14,625 square feet. New Lots 5.02 and 5.03 both propose areas of eighteen thousand square feet (18,000 SF). Twenty thousand square feet (20,000 SF) lot areas are required. 3. Per review of the Subdivision Map and the zone requirements, variances are required for Minimum Lot Width. New Lot 5.01 proposes a width of sixty-five feet (65'). New Lots 5.02 and 5.03 propose eighty foot (80') lot widths. One hundred foot (100') lot widths are required. 4. A Minimum Side Yard Setback variance is required for proposed Lot 5.02. The proposed lot line between new Lots 5.01 and 5.02 would only be located 3.6 feet from of the existing dwelling to remain. A minimum side yard setback of ten feet (10') is required. 5. A Minimum Aggregate Side Yard Setback variance is required for proposed Lot 5.02. The aggregate side yard setbacks from the existing dwelling to remain on proposed Lot 5.02 would be 17.8 feet. A twenty-five feet (25') aggregate side yard setback is required. 6. A design waiver would be required from constructing curb and sidewalk within the Albert Avenue right-of-way. 7. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. An Outbound and Topographic Survey has been provided. The survey should be revised as follows: a. Datum and bench mark should be noted. b. Existing utility poles, regulatory signs, and mailboxes should be added. 2. Any approvals shall be contingent upon the vacation of the appropriate portions of Charity Tull Avenue and East Spruce Street by the Township Committee. 3. Certifications on the Minor Subdivision Plan shall be provided in

accordance with Section 18-604B., of the UDO. 4. The General Notes require editing and should reference datum and bench mark. 5. A Legend shall be provided. 6. Zones and Zone Boundary Lines shall be added. 7. Monuments to be set must be provided at the new outbound tract boundaries to be created by the vacation of Charity Tull Avenue and East Spruce Street. 8. The proposed front yard setback dimensions and setback lines shall be corrected to thirty feet (30') from Albert Avenue. 9. A proposed six foot (6') wide Shade Tree and Utility Easement has been shown along the frontage of Albert Avenue. Proposed easement areas must be provided on an individual lot basis. 10. The Variances Required Table needs revisions. 11. Off-street parking has not been addressed. Typically single-family dwellings with basements require four (4) off-street parking spaces. The existing garage and driveway for the dwelling to remain on new Lot 5.02 are large enough to accommodate at least four (4) vehicles. Proposed driveways for new Lots 5.01 and 5.03 should be shown on an Improvement Plan large enough to accommodate four (4) vehicles. Testimony should be provided on the number of bedrooms and whether basements exist and/or are proposed for the various dwellings. Testimony on off-street parking shall be provided. 12. No curb and sidewalk exist along the Albert Avenue frontage of the project. Proposed curb and sidewalk should be provided unless waivers are granted by the Board. 13. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 14. Seasonal high water table information must be provided for proposed Lots 5.01 and 5.03 if basements are proposed. Soil boring locations and logs must be provided. A minimum two foot (2') separation will be required from seasonal high water table should basements be proposed for the new dwellings. Testimony should be provided on whether any basement proposed will be unfinished. 15. Proposed lot grading should be addressed. Proposed lot grading should maximize the direction of runoff to Albert Avenue and minimize runoff directed towards adjoining properties and open space. 16. Proposed storm water management shall be addressed. At a minimum, dry wells will be required to account for the increase in runoff due to additional impervious surfaces. 17. Potable water and sanitary sewer are not available. 18. Unless a waiver is granted, shade trees are required within the proposed six foot (6') wide shade tree and utility easement on the Albert Avenue frontage. Shade trees should be provided to the satisfaction of the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 19. Our site investigation indicates that existing Lot 6, half the property, is wooded. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for the proposed dwellings on new Lots 5.01 and 5.03. 20. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 21. Compliance with the Map Filing Law is required. 22. An Improvement Plan with construction details shall be submitted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Committee (road vacations); b. Township Tree Ordinance (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Board of Health; and f. All other required outside agency approvals.

Mr. Vogt stated that variances are requested for minimum lot area, lot width and side yard setbacks. A design waiver is requested from constructed curb and sidewalk within the Albert Avenue right-of-way.

Mrs. Miriam Weinstein, Esq. stated this is a simple minor subdivision to create three lots from two lots. The Township recently rezoned an area near Charity Tull Avenue in the vicinity of the subject property. As part of that rezoning, Charity Tull Avenue is to be vacated to the rear of this property. The net effect of this rezoning and of this road vacation was to remove access to lot 6

other than by paving East Spruce Street, which would have been very cost prohibitive for her client. This subdivision would afford the applicant access to his lots from Albert Avenue without the need to repave any other roads. The road vacation of Charity Tull may require a buffer and if it does, the buffer area would be within their rear yard setback so they would not be able to build within that buffer area anyway. The Township Committee has expressed its support of this application and the Mayor did write a letter to the Planning Board chairman in support of this application.

Mrs. Morris said there is a possibility the Charity Tull ordinance may be repealed. If it does, the lots would be smaller in size.

Mrs. Weinstein said she had spoken to Mr. Wouters and had heard different. The buffer would be within the rear yard setback of these lots so these lots wouldn't be affected.

Mr. Schmuckler had heard that this ordinance can not be repealed.

Mr. Neiman said if the ordinance does get repealed then the applicant would have to come back before the Board.

Mrs. Morris said this may be a moot point because this application is also subject to East Spruce being vacated which has not yet been done.

Mrs. Weinstein said that is correct.

Mr. Neiman opened to the public.

Mr. Benjamin Dugo, was sworn in, he is concerned about the runoff of this property. His property is on the low end of Albert Avenue and they get quite a lot of flooding. He said there is a lot of traffic and parking on this street. They also see a lot of foot traffic. He is concerned that no sidewalks are being proposed.

Mrs. Weinstein said sidewalks will be constructed at the time buildings are constructed.

Mr. Dugo is still concerned about the runoff.

Mr. Vogt said procedurally speaking, this application is simply for the creation of the lots. When someone chooses to build, they have to file a plot plan. At that time, they have to address everything based on the proposed home along with any other amenities including drainage. Usually on-site recharge is provided.

Mr. Neiman closed to the public.

A motion was made by Mr. Schmuckler, seconded by Mr. Banas to approve the application. Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

- 9. SP 2057** (No Variance Requested)
Applicant: Congregation Satmar of Lakewood
Location: Kennedy Boulevard East

Block 174.11 Lot 38.02
Preliminary and Final Major Site Plan for a proposed synagogue

Project Description

The applicant is seeking site plan approval for construction of what appears to be a dual school and synagogue use in a two-story building (and a finished basement). The architectural plans depict an 1,825 sf Bais Medrash three (3) rooms and a lobby on the first floor. A "Woman's section" is depicted on a second floor mezzanine. Finally, a Study Hall, Mikvah and supporting facilities are depicted in the Finished Basement. Site amenities include but are not limited to an access drive, parking area and interior sidewalks. The site is located on the north side of Kennedy Boulevard East, approximately 50 west of its intersection with Twin Oaks Drive. Developed areas south and east of the site are predominantly residential. Per the site plans, existing utilities include public water and sewerage. Sidewalk and curbing exist along the property frontage. We offer the following comments and recommendations regarding this project, review of the revised submission and testimony provided by the applicant's professionals at the March 18, 2014 workshop hearing: I. Waivers A. The following submission waivers have been requested (or appear necessary): 1. B2 - Topography within 200 feet thereof (50 feet provided). 2. B4 - Contours within 200 feet of the site. 3. B10 - Man-made features within 200 feet of site. 4. C13 - Environmental Impact Statement. 5. C14- Tree Protection Management Plan We support the above-referenced submission waivers Site Plan hearing purposes. Township Tree Protection requirements may be satisfied as a condition of Board approval (if/when forthcoming). Submission waivers were granted at the 3/18/14 workshop hearing. Tree Protection will be addressed during compliance review, if Board approval is granted. II. Zoning 1. The property is located in the R-15 (Single Family residential) Zone. Schools and synagogues are permitted uses in the zone, subject to the requirements of Sections 18-905 and 18-906 of the UDO. 2. Testimony must be provided from the applicant's professionals regarding the proposed use(s). Per testimony at the March 18, 2014 workshop hearing, proposed use of this facility will be for a synagogue (only), with no ancillary school uses proposed. We recommend that Board approval, if granted, cite the exclusion of the proposed facility's use for schools unless the applicant applies for Board approval of said uses as part of a future site plan application. 3. Per review of the Site Plan and the zone requirements, the proposed site layout complies with the Bulk requirements of the R-15 zone. Fact. 4. No new bulk variances appear necessary for the Site Plan application. As noted, there is an existing non-conforming lot width for the existing property (77.41 feet existing, 100 feet proposed). The site plans indicate that a lot width variance was granted under the prior subdivision which created the property. Fact. 5. As noted on the Bulk Requirements table on Site Plan Sheet #1, proposed off-street parking (16 spaces) exceeds UDO requirements for the main sanctuary area as proposed. Parking shall be provided to the satisfaction of the Board. 6. Perimeter buffer relief is necessary per 18-905B(1)b, where 20 foot buffer (or equivalent screening) is required from adjacent property lines. Fact. 7. Parking area buffer relief is necessary per 18-905A(2), where screening of parking adjacent to residential property (within 20 feet of property line) is proposed. Fact. III. Review Comments A. Site Plan/Circulation/Parking 1. Final coordination will be required between the site plans and architectural plans. This can be addressed during compliance, if/when Board approval is granted. Fact. 2. Testimony should be provided from the applicant's professionals regarding the maximum number of congregants anticipated at the synagogue. Testimony should be provided at the public hearing. 3. Sixteen (16) off-street parking spaces are proposed as illustrated on the site plan. Per the UDO, 11 parking spaces are required for 1,825 sf of primary sanctuary space (as referenced on the Site Plans). The additional (5) spaces are provided for the proposed rooms and Mikvah facility. Parking shall be

provided to the satisfaction of the Board. Fact. 4. Proposed pedestrian access will be provided via a 6'-foot wide sidewalk extending from the parking lot to the front entrance of the synagogue building. A separate ADA accessible sidewalk to the rear of the building is also proposed. Fact. 5. Testimony should be provided as to whether (at least) some congregants will walk to and from the synagogue. If so, it may be advisable to extend sidewalk from the Kennedy Boulevard frontage (to avoid conflict with vehicles in the parking lot). Testimony should be provided at the public hearing. 6. A trash and recyclables container storage area is proposed near the southwest corner of the parking lot. Confirming testimony shall be provided that containers will be placed curbside for pickup. Testimony should be provided at the public hearing. 7. The design of the entrance will be reviewed during compliance, if/when approval is granted to confirm that the proposed curb radii are adequate for safe ingress and egress (including emergency vehicles). Fact. B. Architectural 1. Preliminary architectural plans have been provided for the proposed Synagogue/school building. Fact. 2. Per the Zoning Data on the site plans, the building will be within the 35 foot zoning height limitation. Fact. 3. We recommend that renderings be provided for the Board's review and use prior to the public hearing. Fact. 4. No mechanical equipment has been shown for the proposed building. The sizes and locations of the proposed equipment must be shown on the site plans and architectural plans. The proposed equipment should be adequately screened. Fact. Adequate screening may be a condition of Board approval, if/when forthcoming. C. Grading 1. Per the Grading and Drainage Plan, the grading design as proposed is feasible and generally well-prepared. Proposed site grades are consistent with existing grades, and are less than 3% slope. Fact. 2. Final grading will be addressed during compliance review if/when approval is granted (including but not limited to site entrance and handicap accessible ramps). Fact. D. Storm Water Management 1. The Grading and Drainage Plans depict two (2) sets of underground recharge systems – one set to attenuate stormwater from the proposed parking lot and access drive, and a separate underground recharge area (including roof leaders) that will attenuate stormwater from the Synagogue building. Per review of the design, it is generally well-prepared. As noted, the project is not major development per NJAC 7:8. Fact. 2. Stormwater calculations were provided for review. Said calculations will be reviewed and finalized during compliance, if/when Board approval is granted. Fact. 3. Soil permeability data will be reviewed during compliance, if/when Board approval is granted. Fact. E. Landscaping 1. The proposed Landscaping Plan is generally-well prepared. Rows of arborvitae are proposed as perimeter buffer along the easterly and westerly limits of the parking lot, and behind the trash/recyclables container storage area. Additional foundation plantings are proposed along the building frontage, as well as Schip Laurels and Crepe Myrtles proposed within the site. Fact. 2. Landscaping should be provided to the satisfaction of the Board. Fact. 3. A final review of landscaping can be conducted during compliance, should site plan approval be granted. Fact. F. Lighting 1. As identified on the Lighting Plan, parking lot lighting will be provided 15' high pole mounted fixtures. Building lighting will be provided using several building-mounted lights. The lighting concept, as depicted is generally well-prepared, pending minor modifications and shielding to prevent spillover onto adjacent Lot 39.02. The lighting design was revised vs. the initial submission. Four (4) 15-foot high pole-mounted lights are now proposed for the parking area and access drive, as well as seven (7) building-mounted fixtures. A plan revision date should be added for the above-referenced design changes. 2. We recommend that non-security lighting (i.e., the parking lot area at a minimum) be placed on timers so that site lighting is deactivated off-hours. Fact. 3. Final review of the lighting design will occur during compliance, if/when Board approval is granted. G. Utilities 1. Water and sewer utility connections are depicted on the plans, connecting to existing public water and sewerage within Kennedy Boulevard East. Fact. H. Signage 1. No signage information (other than parking or directional signage) is provided in the site plan

submission. A full signage package for any free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. Fact. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. Fact. I. Environmental 1. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. Fact. 2. Compliance with the Township Tree Protection ordinance must be provided as a condition of approval, if/when forthcoming. Fact. I. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. Fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Water and Sewer (NJAW of LTMUA); and f. All other required outside agency approvals.

Mr. Herzl stepped down for this application.

Mr. Neiman explained that this application was heard a few weeks ago. It seemed like the two parties were not in agreement with a lot of things so the Board recommended going to an arbitrator which they have done. He has spoken with the arbitrator and to both sides and they have both really worked together in taking a lot of the arguments out of the court room. They will hear testimony as there may have been changes to the size and location of the building.

Mr. Banas arrived at the meeting.

Mr. John Doyle, Esq., on behalf of the applicant. He said they are prepared to proceed.

Mr. Ron Gasiorowski, Esq, the objector's attorney, stated that a multi-page letter with certain provisions has been sent to the applicant along with the property being deed restricted. His client warmly endorses this application with the changes that have been recently made.

Mr. Neiman said, if this Board approves this application tonight, the agreement should be part of the resolution and deed restricted in the process as well.

Mr. Jackson said the applicant has agreed to that. He asked that Mr. Doyle offer that agreement and state what exactly the deed restrictions are and they will be approved and recorded.

Mr. Doyle stated that there are certain parts of the agreement that are between the parties and they may step outside of municipal land use law. They intend to live by everything that's in the agreement.

Mr. Neiman said he thinks it would be safest to include this agreement in the resolution and whatever has to be deed restricted should be deed restricted.

Mr. Schmuckler asked to see the agreement.

Mr. Brian Flannery, P.E., P.P. was sworn in. The plan has been changed to make the building slightly narrower so it could be moved forward. There is one way vehicular access around the building. Twenty seven parking spaces are provided which exceeds the ordinance standards and the building complies with all the bulk requirements. No variances are required. With respect to buffers, the application that was submitted was asking for relief where there was a fence and landscaping. Fencing is still being provided and it is his opinion that it satisfies the intent of the ordinance.

The site plan, prepared by Charles Surmonte, P.E. dated 6/23/14, was entered as exhibit A-1. This plan has the revisions that were referenced.

The settlement agreement was marked as exhibit A-2.

Mr. Jackson asked him to run through the main differences of the plan.

Mr. Flannery said the main difference is they moved the parking from the front to the back. To accommodate that, they made the building a little narrower. The access was previously one entrance way with in and out at the same point. It has been separated to one way in on the right hand side of the building and one way out on the left hand side of the building with 27 parking spaces in the rear. There are no bulk variances requested except for possibly the existing lot width condition. The lot is 23,000 sf which greatly exceeds to the area requirement for the R-15 zone and it is an existing lot. The relief that was requested last time was in the form of design waivers relating to the buffer and the buffer last time, the testimony would have been that the fence and the arrangement of the facilities meet the intent of the ordinance. The testimony is the same this time and the neighbors have now agreed to this arrangement.

Mr. Franklin would like the garbage to be moved near the handicapped spaces. A truck would not be able to get in and out of that alley.

Mr. Doyle said they would address it during compliance.

Mr. Schmuckler is concerned that if they move the garbage there, a neighbor may be displeased.

Mr. Franklin suggested putting a fence on that side.

Mr. Flannery said they would meet with Public Works. They would meet with the neighbor and if there is an issue, they would have to hire a private trash collector.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

Mr. Neiman commended both sides for sitting down together and working this out. He knows it was not easy.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to approve the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert,
Mr. Follman
Abstain: Mr. Percal

7. CORRESPONDENCE

- **SP 1955A** – Nitto Denko – modification to approved building footprint

Mr. Penzer said they need to expand the building slightly to accommodate the conveyer belt. The only change is they will lose four parking spaces.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.
A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman,
Mr. Percal

- **SD 1564** – H & C Development - Major Subdivision amended approval request for re-aligned roadway

Mr. Shea, Esq. said they have eliminated access onto Lanes Mill Road and it is now a cult-de-sac. The county just approved the plans last week. Nothing else is changed.

The Board members asked how the cult-de-sac would now be accessed.

Mr. Shea said they are accessing from Hidden Lane and Barrymore Drive.

Mr. Scott Kennel, P.E. was sworn in. It is still the same number of building lots. The lots would be accessed from Hidden Lane and Barrymore Drive. Traffic counts were completed as requested by the county which resulted in a level service "B" under existing conditions and a level service "B" under future conditions. Basement apartments were considered along with the single family homes.

Ms. Michelle Lax, Hidden Lane, was sworn in. She is here with a number of her neighbors from Hidden and Barrymore. They are concerned about the additional traffic coming through their streets. The original plan had an access point at Lanes Mill Road was not opposed by any of the neighbors.

Mr. Ray Carpenter, P.E. was sworn in. The original plan had Hershey lane going out directly to Lanes Mill Road to provide additional circulation. The County, although, does not want another access point on Lanes Mill Road. They redesigned the project with the same number of lots. No new variances or waivers are being asked for.

Mr. Vogt asked if the proposed cult-de-sac is RSIS compliant.

Mr. Carpenter said yes.

Mr. Schmuckler said this should be viewed as a brand new application.

Mr. Shea consented to withdraw this item from correspondence and submit an amended subdivision.

8. PUBLIC PORTION

9. APPROVAL OF MINUTES

10. APPROVAL OF BILLS

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary